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AT SEATTLE
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WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GODOFREDO HERNANDEZ, et al.,

Plaintiffs,

v.

SPACELABS MEDICAL, INC.,
a Delaware corporation,

Defendant.

NO. C01-1347R

ORDER GRANTING DEFENDANT'S
MOTION TO COMPEL; GRANTING
PLAINTIFFS' MOTION TO DISMISS
CLASS ALLEGATIONS; ASSESSING
TERMS, AND SCHEDULING
CONFERENCE

THIS MATTER comes before the court on defendant's motion to compel depositions of plaintiffs and for monetary sanctions. In their response, plaintiffs refer to their pending motion to voluntarily dismiss their class allegations. Defendant does not oppose that motion. The court has reviewed the relevant pleadings filed in support of and opposition to the motion to compel, and, being fully informed, finds and rules as follows:

1. Plaintiffs' motion to voluntarily dismiss their class allegations is GRANTED.

2. Defendant's motion to compel depositions of plaintiffs and for monetary sanctions is GRANTED. For various reasons, plaintiffs and their counsel have postponed the taking of the plaintiffs' depositions, often informing defendant's counsel of

ORDER
Page - 1 -

1 cancellations at the last minute, thus necessitating expense on
2 defendant's part. Furthermore, plaintiffs' lack of cooperation
3 has necessitated this motion. The court awards defendant \$750 for
4 the time expended in filing this motion and \$300 in interpreters
5 costs. These amounts shall be paid forthwith.

6 3. The court schedules a case management conference for
7 December 12, 2001, at 2:00 p.m. Plaintiffs' counsel shall be
8 prepared at the conference to inform the court of the following:

9 a) Dates on which plaintiffs will be available for their
10 depositions. These dates shall have been coordinated with defen-
11 dant's counsel prior to the conference.

12 b) The names of those plaintiffs who have failed to
13 exhaust administrative remedies or who should otherwise be dis-
14 missed from this action.

15 c) A date by which documents will be produced.

16 d) A proposed trial date.
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18 The court will set deadlines for discovery and motion cutoffs
19 as well as other pretrial deadlines at the conference.

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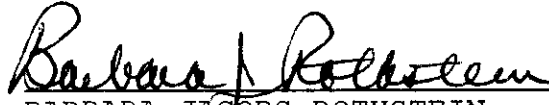
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26 ORDER
Page - 2 -

1 4) The court finds that oral argument is not warranted on
2 this motion.

3 IT IS SO ORDERED.

4 DATED at Seattle, Washington this 30th day of November, 2001.

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6 
7 BARBARA JACOBS ROTHSTEIN
8 UNITED STATES DISTRICT JUDGE
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ORDER
Page - 3 -